



Town of New Windsor

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OFFICE OF THE PLANNING BOARD

WEDNESDAY — SEPTEMBER 10, 2003 - 7:30 PM

TENTATIVE AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES DATED: JULY 9, 2003 & JULY 23, 2003

ANNUAL MOBILE HOME PARK REVIEW:

- a. Walter's Mobile Home Park – Rt. 207 (Dantas)

REGULAR ITEMS:

1. **VANTAGE CONSTRUCTION SUBDIVISION (#01-55) RILEY ROAD (TAROLLI)**
Proposed 19 lot residential subdivision.
2. **MEADOWBROOK ESTATES SUBDIVISION (#01-42) MT. AIRY ROAD (NEW HORIZON)**

ADJOURNMENT

(NEXT MEETING – SEPTEMBER 24, 2003)

TOWN OF NEW WINDSOR

PLANNING BOARD

SEPTEMBER 10, 2003

MEMBERS PRESENT: JAMES PETRO, CHAIRMAN
JERRY ARGENIO
THOMAS KARNAVEZOS
NEIL SCHLESINGER
ERIC MASON

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
PLANNING BOARD ATTORNEY

MYRA MASON
PLANNING BOARD SECRETARY

ABSENT: JIM BRESNAN
RON LANDER

REGULAR MEETING

MR. PETRO: I'd like to call to order the September 10, 2003 New Windsor Planning Board meeting. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

MR. PETRO: We have four members here tonight, takes three to have a quorum.

(Whereupon, Mr. Mason entered the room.)

MR. PETRO: Now we have all five members.

APPROVAL OF MINUTES DATED JULY 9, 2003 & JULY 23, 2003

MR. PETRO: Motion to approve the minutes.

MR. ARGENIO: So moved.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board accept the minutes as written for those dates. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

ANNUAL MOBILE HOME PARK REVIEW:

WALTER'S MOBILE HOME PARK

Mr. Alan Dantas appeared before the board for this review.

MR. PETRO: Walter's Mobile Home Park on Route 207. Mike, someone from your department been there and what do you have to say?

MR. BABCOCK: Yeah, very minor items on the list here. I've talked to Alan and he's completed just about all of them now and intends on continuing until they're all completed.

MR. PETRO: Do you have a check for \$435 made out to the Town of New Windsor?

MR. DANTAS: Yes.

MR. PETRO: Is it good?

MR. DANTAS: Yes, good for that.

MR. PETRO: For one year extension. Anything else, any of the board members, any comments? If not, motion for one year extension.

MR. ARGENIO: I'll make that motion.

MR. KARNAVEZOS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant one year extension to the Walter's Mobile Home Park Village. Any further discussion from the board members? If not, roll call.

ROLL CALL

September 10, 2003

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MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: Thank you. We'll see you in a year.

MR. DANTAS: Good night.

REGULAR ITEMS:

VANTAGE CONSTRUCTION SUBDIVISION (#01-55)

MR. PETRO: Vantage Construction, proposed 19 lot residential subdivision. Someone here for this? Let me have your name, sir.

MR. BELL: Andy Bell, my brother, Cliff Bell.

MR. PETRO: Do you want to put a copy on the board? Project involves subdivision of 3 tax parcels into 19 lots. Plan was previously reviewed at the 26 September 2001, 13 February 2002, 27 March 2002, 10 July 2002 planning board meetings. They're all single family except for the lot 19 which has an existing multi-family. At the previous meeting, the outstanding issues had been resolved. Since then, the main issues of sewer improvement and realty subdivision approval have been resolved. It's my understanding the formation of the drainage district is still in progress. Does that still hold true?

MR. EDSALL: I think that's still in the works.

MR. PETRO: SEQRA was concluded on 7/10/02 with a negative dec. Why are you actually here tonight, what are we going to do, just number 3?

MR. EDSALL: I think they're here hoping that they can get a conditional final approval.

MR. PETRO: Plans for lot 13 should restrict access to Riley Road.

MR. EDSALL: Thirteen is the flag lot.

MR. PETRO: What was the other easement for just to have emergency? Why do we have that easement to the cul-de-sac?

MR. EDSALL: It was an existing odd lot that I believe had no frontage and then there was a piece that was tagged on there to meet the frontage requirement they had to keep it shaped in the weird way.

MR. PETRO: Actually, lot 13, essentially part of 13 but you're only going to the accessory road.

MR. EDSALL: No, we only want them to come off the subdivision.

MR. PETRO: Not the accessory road, is that what I just read?

MR. BABCOCK: Yes.

MR. ANDY BELL: I have been approached by the neighbor, I think she wants to purchase this easement or this 50 foot right-of-way here, so it may be a situation where there's a lot line change requested in the coming months.

MR. BABCOCK: You have to be careful because that's giving you your legal road frontage for that lot 13.

MR. EDSALL: As long as you have enough road frontage you're okay, but if you don't, you can't do that.

MR. ANDY BELL: She had been mentioning to me she's afraid someone will go up there and--

MR. PETRO: Don't they have enough off Coach House Court?

MR. EDSALL: I'm not sure, they might of opened it up enough.

MR. ANDY BELL: Originally, we didn't have adequate and I think we reconfigured it so it would be covered.

MR. BABCOCK: If it works, it's a better idea.

MR. ANDY BELL: I didn't take it any further than that. It makes sense for everybody cause I don't want a potential owner even thinking about trying to come out here.

MR. PETRO: Applicant should be directed to submit public improvement bond estimate to the Town for review and subsequent approval from the Town Board. You know you have to do that. Applicant should submit descriptions and offers of dedication to the Town Attorney with a copy to the planning board engineer for necessary review and payment of all fees. Okay, other than that, what do we have left on the site plan? I don't think we have anything left. We have one lot across the street, correct and yes, lot number 1?

MR. PETRO: All these lots predate our new zoning code.

MR. ANDY BELL: Yes, sir.

MR. PETRO: That's the reason for the small sizes.

MR. ARGENIO: What's the code?

MR. EDSALL: I think it's, this is larger and Henry's okay having a larger radius, he wants the same paved diameter.

MR. PETRO: This still hasn't been returned from the fire department or highway so.

MR. EDSALL: I met with Henry today, I'm sure you'll get a confirmation.

MR. PETRO: What's the holdup on the fire, what could it be?

MR. EDSALL: Just an oversight because they've been at the workshops and the fire inspector's been with us at the workshops.

MR. ANDY BELL: We had a particular workshop about that issue months ago, 6 or 7 months ago.

MR. EDSALL: We asked them to add the 911 numbering, they've added all that so they got that from the fire inspector's office, so maybe just make that a subject-to.

MR. PETRO: Any other planning board comments, anybody from the board?

MR. KARNAVEZOS: I have one, the sewer district doesn't come through here yet, is that what we're saying?

MR. EDSALL: The sewer does, there is sewer and one of the off-site improvements that they're required to make is the upgrade of the pump station.

MR. ARGENTIO: It's historically been a problem with the pump station over the years and Vantage is going to correct that situation, I remember discussing that several months ago.

MR. EDSALL: It's getting taken care of, that was part of approval that they had to go to the DEC about.

MR. KARNAVEZOS: Okay, so is this what we're talking about here, the pre-treatment area that's just for drainage?

MR. EDSALL: Just storm water and that's part of the, it's part of the storm water district.

MR. KARNAVEZOS: I've got lot 5 to the left of lot 4 and then on the first page I've got lot 3, 5, 7, 9.

MR. ANDY BELL: No, he had to renumber this at one time and I think the top sheet was never renumbered properly so that's why that's confusing to you. If you come over here, you'll see after we did all the, reworked the cul-de-sac, this is 5 and that's not a lot, that's the filtration system to be installed for the storm water.

MR. KARNAVEZOS: That's all I have. Well, the second page, Andy or Cliff, the second page is the old page?

MR. ANDY BELL: No, the old page that should not be here any longer is this first sheet 1 of 4, he needs to, well, he calls it drainage facilities lot but he hasn't numbered it properly, for some reason, the numbers aren't in sync.

MR. BABCOCK: We can take care of that.

MR. ARGENIO: I would imagine.

MR. ANDY BELL: Fire, I went through the 911 process and they have it, the correct plat, because he was interested in like I said 911 numbers and we visited with him when we reconfigured the cul-de-sac and made this flag lot.

MR. KARNAVEZOS: Shows here emergency 911 numbers and I'm looking at this.

MR. ANDY BELL: They should not work at all, is that what you're saying?

MR. KARNAVEZOS: Yeah, but I'm seeing it here and I'm not seeing it here for 911 numbers.

MR. EDSALL: What he did was he put an old sheet one on the set so just needs to put the correct update on.

MS. MASON: But you have the right plan, right?

MR. EDSALL: I'll make sure that the ones that we look to stamp are.

MS. MASON: But the one that you have there that you reviewed is the right one, August 28?

MR. EDSALL: Yes.

MR. ARGENIO: I'll make a motion for final approval for Vantage Construction Corporation on Riley Road subject to what the chairman will read into the minutes in about 30 seconds.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Vantage Construction Corporation major subdivision on Riley Road subject to the applicant should be directed to submit the public improvement bond for Town Board approval, applicant should submit offers of dedication with a copy to the planning board engineer as we talked about earlier, payment of all fees reviewed by the highway department and get their signed approval and review by the New Windsor Fire Department with their signed approval. I believe the plans can be straightened out with the cover sheet and I'll let Mark take care of that.

MR. EDSALL: And lot 13 we'll make sure there's a note on that corrected sheet cause that was missing.

MR. ARGENIO: For the access only from Coach House Court.

MR. EDSALL: That's why I believe that sheet is an old one.

MR. PETRO: Roll call.

September 10, 2003

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ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MEADOWBROOK ESTATES SUBDIVISION (#01-42)

Mr. Jay Samuelson from New Horizon appeared before the board for this proposal.

MR. PETRO: Okay, let's see where we're at here. Application is for the 74 lot single family subdivision in New Windsor with an additional 16 lots in the Town of Cornwall. The plan was previously reviewed at the 13 June 2001, 22 May 2002, 14 August 2002, April 23, 2003 and 25 June 2003 planning board meetings. Applicant is before the board for consideration of the negative dec under the SEQRA process as well as consideration of preliminary approval. Proposed resolution for the negative declaration is attached. This can be discussed by the board with the undersigned and applicant. So let's do that first. You want to give us anything, presentation of any kind? We've seen it so many times.

MR. SAMUELSON: If you guys want to know anything, I will be happy to answer any questions.

MR. EDSALL: One of the larger areas that the board was investigating was traffic, so the first attachment I had in my comments is the memo from Phil Grealy from John Collins Engineers, the traffic consultant, outlining some recommendations. We have discussed it verbally but I just wanted to make sure that the board members had a copy of this memo. The gist relative to areas of potential impact and areas where we thought off-site improvements were warranted involved two locations, one at their main access to Route 94. We felt that there should be a turning lane for accessing the project roadway heading in an eastbound direction which allows cuing so you wouldn't have a car stopped on Route 94 waiting to turn left which we felt although the warrants may not be there for the left turn, it's a safety issue. The applicant has agreed and committed to provide that improvement subject to DOT. The second

area that was a problem was the Jackson Avenue-94 intersection, we felt there was some alignment improvements that could be made, there's some grading problems with the existing roads, sight distance problems, Phil had concurred with that so the applicant has agreed again subject to DOT's approval to dress that intersection up a little bit.

MR. PETRO: Jackson and where?

MR. EDSALL: Jackson and 94, it's not on this map.

MR. SAMUELSON: It's way west.

MR. EDSALL: Keep in mind--

MR. PETRO: What's that got to do with this?

MR. EDSALL: Because of the volume, it comes down to when this application was reviewed, it was a Type I action because of its proximity to the Town's park but also because of the 100 houses or 90 houses there was a concern raised by Cornwall's Planning Board that we look at traffic and in reality, the majority of the traffic problems is not getting caused by the project but the school. Unfortunately, we had no control or review authority on the school, so when the school and all the other development is all combined, their study identified potential problems at Jackson and they have agreed to solve that or at least to improve that intersection.

MR. PETRO: By doing what?

MR. SAMUELSON: We're going to do some grading on Jackson, some clearing along the right-of-way, some drainage improvements, clearing along the right-of-way of 94 to improve the sight distance when you come to 94 off Jackson and do some grading to bring the elevation of Jackson road up so you're not coming out of the hole

on a hill up to Route 94, to better improve the sight distance.

MR. EDSALL: Currently they've almost got a swale situation running across both sides of the Jackson so that when you pull through the intersection, you drive through a swale arrangement, they're going to provide actual drainage.

MR. ARGENIO: There's no additional lanes?

MR. EDSALL: No additional lanes, just purely just a physical improvement to the intersection. Again, is it 100 percent this application's responsibility, no, but their applicant, after the review is made of all the affected intersections said fine, we're willing to contribute toward that improvement so I think all things considered, I think they're being a good applicant in taking the two areas of our concern and addressing them and also means we can go back to the Town of Cornwall Planning Board to raise the issue and say they've stepped up to the plate and willing to work with the two towns.

MR. PETRO: The Cherry Hill circle is pretty bad.

MR. EDSALL: We couldn't include that intersection, a little bit distant.

MR. PETRO: Okay then.

MR. SAMUELSON: We're lenient but I don't know about that lenient.

MR. EDSALL: All the traffic issues they've worked with both Towns' concerns and they've committed to those improvements. In line with that, we've got a suggested negative dec which goes through all the areas of review, keep in mind that you're the lead agency and this application is one that involves both towns so

we'll refer this negative dec over to Cornwall after you adopt it. And this takes into account all the discussions, the two public hearings that you've held, the multiple meetings, the coordination you've had with DOT, we received a letter from DOT, just so happens to be dated I believe today concurring with the traffic study and acknowledging that they'll have to go to traffic and safety and get a highway work permit but they're concurring with the study.

MR. PETRO: So what we need is a motion from a member to adopt a negative declaration dated 9/10/03 for the Meadowbrook Estates.

MR. KARNAVEZOS: I'll make that motion.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board adopt the negative declaration for the Meadowbrook Estates major subdivision off New York State Route 94 dated 9/20/2003. Is there any further comment from anybody here?

MR. MASON: I have two questions. What was the final decision on the crash gate going into the other project?

MR. SAMUELSON: It's going to be a through street.

MR. MASON: And my other question was this project empties out to Meadowbrook Lane, doesn't it?

MR. SAMUELSON: Yes.

MR. MASON: We talked at the last meeting about possibly making this a one way going up cause there's two entrances on the Meadowbrook Lane and it would be so you couldn't make a left turn from the other side

because of the hill issue.

MR. SAMUELSON: It was proposed that the western side of Meadowbrook Lane will be closed off and improvements will be made going along Meadowbrook.

MR. MASON: So they're closing it right off?

MR. SAMUELSON: Subject to DOT but that's our intention, yes.

MR. PETRO: What's the first question?

MR. MASON: About the crash gate.

MR. PETRO: That's a normal through street, full access. Motion has been made and has been seconded, is there any other discussion? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. EDSALL: Procedurally, the next item that they had requested was a preliminary approval and in my comments, I listed a couple you could call them conditions for the preliminary approval, we're just trying to make sure that some of these items that need to be coordinated get done before they start making their agency submittals--

MR. SAMUELSON: That's fine.

MR. EDSALL: --to DEC and Department of Health.

MR. PETRO: Enough stuff here, I think you should clean

up some of it, but the last one is very important, too, as I happen to note final coordination of utility routing through the Town park will be required. I had told some of your people involved with this where they were going to put some of the lines was just not going to happen.

MR. SAMUELSON: We discussed it with Mark at the last work session, they've got the final layout of the park and we'll route around whatever you've got planned in the park.

MR. EDSALL: We just had a meeting this morning with the Highway Superintendent and Mike Babcock because we're looking at final grading at the park and how we're going to locate the final elements that need to be developed and we had told the applicant that until we had that resolved, we weren't going to agree to anything but now we're at that point so we'll start finalizing. All these comments, Mr. Chairman, are not those that need plans to be fixed before they can come back and ask for preliminary, we're telling them such things as before you make submittals, we want to sit down with the Highway Superintendent and looking at the plans.

MR. SAMUELSON: There's a few minor plan changes but--

MR. EDSALL: There's not a lot here that would need to come back. These are just things, the reason I do it is that I ran into a problem in another municipality where they went to the DOT, went to the Department of Health, went to DEC, didn't coordinate at all and came back with plans that effectively we couldn't approve. I just want to make sure we coordinate before they go to anybody and they need preliminary before they can go to the agencies anyway.

MR. PETRO: I'm still not happy with the last bullet because you're giving preliminary approval and you have

no idea how you're going to get the water through the park.

MR. EDSALL: They're going to be at the mercy of our layout.

MR. PETRO: What if nothing works?

MR. BABCOCK: Actually, it's going to be better than what it was when they planned this facility, we had no water line in the park. As of today, we have a water line.

MR. PETRO: They have the 8 inch line and can they go off that?

MR. BABCOCK: I'm sure they could and I'm sure the fire inspector's office would like that because right now, it's a dead-ended main, so loop it through would benefit everybody.

MR. PETRO: You have a way to make it work.

MR. EDSALL: I'm sure we can resolve it because we're going to work on it in the area that is not developed we're going to have them run their cross-connection.

MR. PETRO: Not dig up any of the new blacktop even though it's only one inch thick?

MR. BABCOCK: They may have to make crossings in the blacktop.

MR. PETRO: Okay, I'll get off that horse.

MR. MASON: Making improvements down by Jackson maybe they can tie into Washingtonville's water?

MR. PETRO: Loop through Monroe and come back.

MR. EDSALL: County water loop all over again.

MR. PETRO: We can go ahead with preliminary approval?

MR. EDSALL: I believe so, we've just got some things to coordinate and they're acknowledging that they have to.

MR. PETRO: We're also going to refer this document that we just accepted or adopted over to Town of Cornwall. Now, what if they take objection to it somehow? I know we're lead agency, they can only give us their input.

MR. EDSALL: They can try to head in a different direction but they have to substantiate the reasons why this determination couldn't be supported, which would be their, I think they'd have difficulty.

MR. ARGENIO: It's supported right here.

MR. PETRO: I'm not going to go over all this. I assume Mark knows what he's talking about.

MR. SAMUELSON: I agree with them all.

MR. PETRO: You feel that you're going to follow through with them?

MR. SAMUELSON: Yes.

MR. PETRO: I think we've seen this about 9 times, so do any of the other members have any other comments? If not, I will entertain a motion for a preliminary approval.

MR. ARGENIO: I will make that motion.

MR. SCHLESINGER: Second it.

MR. PETRO: Mark, fire or highway? Nothing here.

MR. EDSALL: We've been with both the fire inspector at all the workshops and I know I've gone through this with Henry and Henry looked at it but I told Henry I wanted a sit down with him to coordinate his aspects with the other applications as they become--

MR. PETRO: Fire approval on 5/20/2002, the highway was tabled.

MR. SAMUELSON: That's one of the items that we have to sit down with.

MR. PETRO: That's going to work itself out.

MR. SAMUELSON: Yes.

MR. EDSALL: I talked to Henry about that today, he said he wants to sit down with us before they send the applications out.

MR. PETRO: You made a motion.

MR. ARGENIO: I made the motion and seconded, correct, Mr. Schlesinger seconded it.

MR. PETRO: Any other comment? If not, roll call.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

MR. PETRO: Hearing nothing further for this evening, I'll entertain a motion to adjourn.

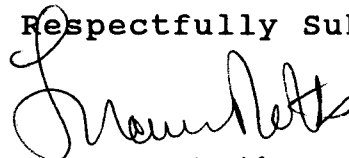
MR. ARGENIO: So moved.

MR. MASON: Second it.

ROLL CALL

MR. MASON	AYE
MR. SCHLESINGER	AYE
MR. ARGENIO	AYE
MR. KARNAVEZOS	AYE
MR. PETRO	AYE

Respectfully Submitted By:



Frances Roth
Stenographer